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of All Forms of Discrimination
against Women**

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Fourteenth session

SUMMARY RECORD OF THE 277th MEETING

Held at Headquarters, New York,
on Monday, 30 January 1995, at 10 a.m.

Chairperson: Ms. AOUIJ
(Vice-Chairperson)

later: Ms. CORTI
(Chairperson)

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In the absence of Ms. Corti, Ms. Aouij, Vice-Chairperson,
took the Chair.

The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE
CONVENTION (continued)

Third and fourth periodic reports of Norway (CEDAW/C/NOR/3 and CEDAW/C/NOR/4)

1. At the invitation of the Chairperson, Ms. Vollset and Ms. Kverneland
(Norway) took places at the Committee table.

2. Ms. VOLLSET (Norway), introducing her country's fourth periodic report (CEDAW/C/NOR/4), said that it drew largely on Norway's national report to the forthcoming Fourth World Conference on Women. There was overall agreement among politicians in Norway on the importance of gender equality as a goal and on the main measures needed to attain that goal. Priority areas being addressed in that effort were child-care policy, equal pay, and the abuse of women and sexual violence. Significant results had already been achieved in the interrelated areas of child care and men's roles in gender equality policies.

3. Gender equality was seen in Norway not only as a question of equal rights for individuals, but also as an effective use of human resources in all fields. Efforts in that area must therefore be designed not only to prevent discrimination, but also to build the social infrastructures that would enable men and women to participate in the full range of social life, rather than being assigned to particular arenas according to traditional gender roles.

4. Norwegian women had entered the labour force and politics, but still bore a heavy burden because the amount of time which men spent on household tasks had not increased and the time they spent with small children had increased only marginally. Family obligations thus accounted for much of the persistent inequality in men's and women's wages and career opportunities. Finding a new role for men had therefore become a priority. Since few men had availed themselves of parental leave privileges, it had been decided in 1993 to require fathers to take a minimum of four weeks' of the parental leave accorded to families at full or near-full pay. That was expected to change men's relationships with their children, as fathers availed themselves increasingly of parental leave. The Government was also considering the possibility of giving fathers parental leave that was not determined by the mother's participation in the labour force and of encouraging men to work in the caring professions so that men and women would be more equally distributed in those fields. Some pressure needed to be put on men in the interests of attaining gender equality.

5. While male-female wage differentials were generally small in Norway, there had been set-backs in that area in the 1980s. The gender segregation of the labour market demanded that measures be taken on the larger economic level. The Government was working to improve pay and working conditions in traditionally female sectors of the economy and to influence wage negotiations between labour

and management. It had assigned priority to integrating gender-disaggregated statistics into the official collective bargaining document, increasing public awareness and the exchange of information among decision makers in the area of pay equity, and developing non-discriminatory job-evaluation tools for use throughout the labour market. Legislation was most effective in securing individual rights, and women were being encouraged to use it to secure equal pay.

6. The Government's main strategy for achieving gender equality was the mainstreaming of the gender perspective in all spheres of politics and public administration. Gender equality policies should be considered at the early stages of all policy development, so as to influence the decision-making process more effectively. Mainstreaming implied both the goal of and the strategy for achieving full and equal partnership for women and men in all spheres and at all levels of society. Prerequisites for successful mainstreaming included the treatment of gender-relevant issues as a distinct aspect in all areas of concern, clearly defined responsibility for follow-up, the integration of the gender perspective into everyday work and mainstream policy-making, and the active use of recruitment policies to achieve good gender balance. The strategy had thus far achieved good results, and its implementation was to be expanded into local and regional administration. However, by far the most important element of gender equality strategy was to ensure that government members gave high political priority to matters of gender equality.

7. Turning to the Committee's questions and to the general question about the concept of equality in the Norwegian Constitution and legal system, she said that the Constitution was gender-neutral and contained no explicit provisions regarding gender issues. The Government was currently considering the incorporation of several human rights conventions, among them the Convention on the Elimination of All Forms of Discrimination against Women, into national law. Meanwhile, equality between the sexes was regulated by the Gender Equality Act of 1978.

8. In response to the question as to whether the economic changes in the country had affected the distribution of social investments in programmes affecting women, she said that despite a strained budgetary situation, important reforms had been implemented to harmonize work and family responsibilities and to strengthen child care. Increased awareness of the gender dimension among politicians and administrators, as a result of the mainstreaming policy, had served to counteract the negative impact of economic change on women.

Article 2

9. Ms. KVERNELAND (Norway), responding to the question about increasing the number of women in traditionally male-dominated areas, said that while the Gender Equality Act had previously permitted affirmative action only in favour of women, the Government was now proposing amendments to allow some limited form of affirmative action in favour of men in professions related to child care, education and child welfare.

Article 3

10. In response to the question about the continued exemption of religious communities from the Gender Equality Act, she said that such exemptions were based on constitutional provisions allowing for the free practice of religion. The appointment of clergy, preachers and chaplains was exempted from the Act, but not that of staff whose tasks were not connected with religious practice. The Act also served as a guideline for family life, as the family was not regarded as a religious community.

11. Responding to the question about programmes to assist immigrant women who were victims of abuse, she said that since the phenomenon appeared to be limited to the capital city, no special programmes had been implemented and emphasis was placed instead on integrating immigrant women into existing services and mainstream programmes. In Oslo, a privately funded resource centre for immigrant and refugee women, including victims of family abuse, served as a useful link between immigrant women and the Norwegian authorities.

12. Ms. VOLLSET, in response to the question about measures to protect welfare programmes for women from cut-backs in national insurance and welfare schemes, said that the Government was seeking to allocate resources more efficiently so that the welfare state would be better able to adapt to the needs of a rapidly changing society. In so doing, special attention would be paid to the effects on women of any welfare cut-backs, since the promotion of equality between men and women would continue to be a primary objective of government policy. It was too early to discuss the process in detail, but the Government intended to address perceived shortcomings in the present system by promoting welfare recipients' participation in society with a view to their becoming self-supporting through work, increasing educational benefits to encourage recipients to improve their job qualifications, increasing benefits to cover child-care expenses, and increasing benefits for those who were unable to work because they had to care for children. Entitlement to benefits should be made contingent on recipients' availability for work or enrolment in job training. Recent increases in such benefits as the child-care benefit, the educational benefit and the minimum pension were advantageous to women.

Article 4

13. Ms. KVERNELAND, replying to questions about the extent of the application of affirmative action, the sectors where there were major obstacles, the benefits that had resulted from such action and the sectors where the presence of women had increased, said that the Gender Equality Act included a provision requiring a minimum of 40 per cent representation of each sex on all official committees, boards and councils. Although political parties were not bound by that provision, all the major political parties had adopted gender quotas on a voluntary basis during the 1980s, and women's political participation had increased. Men and women alike tended to refuse more than one term of office, particularly at the local level, owing to the heavy workload involved. Measures to improve that situation were being implemented and were expected to make local politics more attractive to politicians with work and family obligations. Since the early 1980s, women candidates had been given preferential treatment in sectors where women were numerically underrepresented, when their qualifications

were essentially identical to those of male candidates. Affirmative action was permitted but not prescribed in the fields of employment and education. However, a recent research project had found that it had not been applied to any extent in either of those fields. There had been few instances of recruitment involving the express use of affirmative action, even in the public sector. Employees and their organizations took a positive view of the affirmative action system and believed that it had an indirect effect on recruitment and promotion, whereas employers tended to take a less favourable view. Out of 16 larger private enterprises studied, only two had a quota system. Using the phrase "women are encouraged to apply" when advertising posts had proved effective.

14. The need for preferential treatment in education had decreased as other factors ensured that women pursued all types of studies. Women now accounted for the majority of students in higher education. Problems affecting both men and women persisted in traditionally gender-segregated occupational areas. Most technical colleges applied moderate quota systems.

15. The major obstacles were that preferential treatment had been insufficiently incorporated into collective agreements and regulations in the public sector, while in the private sector there was a general reluctance to accept any government interference.

16. Women's employment had increased primarily in the public, social and private service sectors. Women accounted for two thirds of the workforce in those sectors, which employed over 50 per cent of all working women. The wholesale and retail trade, restaurants and hotels were the second largest employer of women and were increasing in importance. The structural changes in the labour market in the 1980s had benefited female-dominated occupations and women's employment. Thanks to a gender-segregated labour market, rising unemployment had affected women less than men.

17. With reference to the Ombud's call for a more effective affirmative action policy, she said that the view of the previous gender equality Ombud, as presented in Norway's third periodic report, had been that existing affirmative action measures should either be strengthened, in order to make them fully effective, or abolished altogether, since existing arrangements gave the general public a quite unrealistic idea of women's chances in the labour market. The Ombud had expressed concern that the proposed amendments to the Gender Equality Act, to allow affirmative action in favour of men in a limited number of occupations, could alter the current balance in favour of men. The present Ombud considered that the positive effects of such action, which would activate men's potential for caring, help to counteract strict gender-segregation in the labour market and give children a less biased view of gender roles, would, in time, have a positive influence on gender equality.

18. The Gender Equality Ombud had also expressed concern, in the third report, about the enforcement of the quota system in collective agreements. She had felt that measures might be more effective if she was given the authority to monitor their application. The legalization of equal status plans of action was under consideration and would mean that employers, in cooperation with employees' organizations, would have to fulfil their obligations through agreements involving preferential treatment.

Article 6

19. Ms. VOLLSET, speaking in reference to sexual abuse, said that several studies of the issue had been carried out, but that findings differed according to the theoretical framework. Violence was viewed by psychoanalytical studies as a consequence of individual history. In systems theory, the generational perspective was important and childhood victimization was seen as explaining subsequent behaviour. The feminist perspective focused on the power relationship between men and women. All the evidence pointed to the fact that the gender/power relationship and family patterns were central to an understanding of the prevalence of sexual violence in society.

20. With reference to the study conducted on prostitution, she said that the national authorities had recently given the National Centre on Prostitution responsibility for developing strategies to prevent prostitution. The Centre, established in January 1994, was currently awaiting the results of another study which analysed the mechanisms of supply and demand of prostitution services in connection with large sports events. The study's findings would be based mainly on research in connection with the 1994 winter Olympic Games.

21. In response to the request for more information on the seminars held for police, health and social officials, and on attempts to rehabilitate prostitutes, she said that the National Centre on Prostitution was currently responsible for the upgrading and dissemination of knowledge on prostitution. The Centre had organized two regional seminars for staff of the various welfare services. Attempts to "rehabilitate" prostitutes included providing general information, guidance, economic assistance, vocational training, psychological help, participation in self-help groups and/or individual support schemes, and the development of alternative career plans.

22. Turning to the issue of child abuse, she said that measures targeting abusers were described on pages 32 and 33 of the fourth report. The Ministry of Social Affairs had provided funding for three treatment projects for persons convicted of sexual crimes. A reference group would evaluate those projects and present proposals for the treatment of sexual offenders. The role of men as abusers and the abuser-victim relationship were the subjects of a research programme on sexual violence. An interdepartmental seminar on the development of preventive measures for dealing with abusers was being prepared. Violence in the private sphere was covered by the general provisions of the Penal Code relating to assault, bodily harm, rape, etc. Sexual abuse of children was covered by special provisions of the Penal Code. The age of sexual consent was 16.

23. On the question of sex business in Norway and government policy in that respect, sex business was assumed to be comparatively limited in Norway. In recent years, a tendency towards more hard-core pornography had been observed, and it was also assumed that prostitution might have increased. The Government was seriously concerned at the various forms of sex trade, and had focused on combating child pornography and prosecuting those who profited from prostitution. Penal Code provisions relating to pornography and pimping had been tightened, and the authorities had initiated and supported several projects

aimed at both preventing prostitution and motivating prostitutes to leave the trade. Further details could be found in the fourth report.

Article 7

24. Ms. KVERNELAND, referring to the public reaction to the 40 per cent quota for each sex on all publicly appointed boards, councils and committees and the efforts being made to ensure that women actually benefited from that policy, said that there seemed to be general agreement that, for democratic reasons, men and women should be equally represented on such bodies. In 1993, the average percentage of women on boards and committees appointed by governmental bodies had been 39 per cent, while it had been 36.4 per cent on boards and committees appointed by local government. The quota provisions in the new Local Government Act should increase the number of women on boards and committees appointed by local government. Women were still underrepresented on such bodies in a number of traditionally male-dominated fields such as defence, foreign affairs and trade. There should be stricter enforcement of quota provisions in those sectors.

25. On the question of women and power, there was considerable concern about the small number of women at the managerial level in the private sector. In the 100 largest enterprises, there were no women executive directors and only 10 per cent of board members were women. Women seemed to prefer the public to the private sector.

26. Women accounted for 52 and 55 per cent respectively of the total number of students enrolled at universities and colleges. In the traditional male bastions which often led to high managerial positions, namely, law, economics and engineering, women accounted for 53 per cent, 30 per cent and 38 per cent of candidates respectively. It was hoped that that would have an impact on the future numbers of women at the managerial level in trade and industry.

27. Trade unions and employers' organizations were paying increased attention to the lack of women in high positions in private enterprise. Some enterprises had introduced women's training programmes, but a comprehensive approach to increasing the number of women in senior management positions was lacking. A high proportion of women in Norway belonged to unions, but far fewer women belonged to employees' organizations.

28. The media gave access to power, and the number of women journalists had increased dramatically in recent decades: in 1992, women had accounted for 33 per cent of journalists. The percentage of women among media students was currently 58 per cent. Women's participation in politics had made women and women's interests more visible in the media, which had clearly contributed to the degree of equality currently enjoyed by Norwegian women. In recent years, the State radio and television monopoly had given way to a variety of broadcasters, some of them commercial, bringing to the fore the question of the impact of the media on society and the extent to which they should be regulated. An action programme on media violence was being prepared and would address the impact of such violence on vulnerable groups such as children and young people, as well as the portrayal of women, sex roles and gender relations.

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29. With respect to the substantive changes brought about by the increase in the numbers of women in the public sector and politics, the most obvious change was the progress achieved in the field of family policy, particularly with regard to opportunities to reconcile work and family responsibilities. There had been a rapid expansion of government-subsidized child-care institutions, and in 1986, parental leave had been extended from 18 to 42 weeks on full pay or one year with 80 per cent pay. The costs were covered by social insurance, not by employers. The time account scheme and the father's quota were other important reforms which might not have taken place without a large number of women in political life.

Article 10

30. Ms. VOLLSET, replying to the question about educational programmes for single mothers, said that, on the whole, single mothers were better educated than married women. Those with children up to the age of 10 were entitled to benefits whether or not they were pursuing their education. Single parents were also entitled to benefits under the National Insurance Scheme to cover education-related costs, when education was considered necessary to qualify them for the labour market. Students were entitled to favourable State loans while studying, and single parent students could thus add substantially to their income from benefits under the welfare scheme.

31. On the issue of government support for women's studies, since the 1980s the Government had taken responsibility for increasing the number of women researchers in all fields, supporting women's studies curricula and introducing them in educational institutions and elsewhere. Progress had been made in institutionalizing women's studies, but problems remained in integrating such courses of study in university and college curricula, and in making the results useful for the education of children and youth.

Article 11

32. Ms. KVERNELAND, referring to women's participation in non-traditional fields, said that projects aimed at increasing such participation had been an important part of the gender equality policy of the 1980s. Such projects were described in the third report. The so-called BRYT policy had not, however, radically altered gender behaviour with regard to education and occupation. Structural changes and increasing unemployment in many male-dominated sectors had brought about a change of perspective. Care was being taken to give equal importance to tasks traditionally undertaken by women, and in the 1990s, priority was being given to improving pay and working conditions in traditionally female-dominated sectors and occupations. However, women entrepreneurs were actively supported and there were still measures to encourage women to choose traditionally male-dominated occupations in primary industries.

33. The question about reducing persistent occupational and wage differentials had been answered in her opening statement. Pay equity was still a matter of great concern. Efforts had been made to address the gender issue and the wage gap in unions, employers' organizations and the collective bargaining system. Statistics about the wage gap were integrated in the document that formed the basis for collective bargaining. Present policy was not to change women's

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career choices, but to improve working conditions and pay in traditional female sectors, which implied recognition of women's values and preferences. The Government considered that legislation, which was aimed primarily at securing individual rights, played a rather limited role in eliminating the wage gap. However, the relevant legislation was being improved to make it more effective. The Government planned to introduce provisions on gender equality action plans which would apply to employers who employed a certain minimum number of staff. Another project was the production of a "checklist" on equal pay, which would be a practical tool for parties working towards the achievement of equal pay.

34. She considered that the explanation for the significant rise of women in the political hierarchy, while discrimination persisted in the area of employment, had been given in the answers to other questions, for example, those referring to articles 4, 7 and 11.

35. Ms. VOLLSET, on the issue of pensions, said that the Norwegian pension system provided a basic pension for all citizens, regardless of their original source of income, and a supplementary pension based on earned "pension points" which was calculated each year according to income and paid for through taxes. The difference between men's and women's rates of pay and years of participation in working life was therefore reflected in a difference in their pensions. There were no current plans to change that system. Supplementary pension points were given to people who were born handicapped and to people who were caring at home for children under 7 years of age or for elderly or handicapped persons. Supplementary points for such caregiving would not be reflected in women's pensions for some years to come, but the pension gap would steadily diminish.

36. Turning to immigration policy and the rights of immigrants in Norway, she said that approximately 30 per cent of all immigrants in Norway lived in Oslo, where they constituted 14.7 per cent of the population. The basic objectives and principles of Norwegian immigration policy, which was based on genuine equality of status for immigrants and Norwegians, were enshrined in a white paper which had been endorsed by Parliament. Family members of immigrants with a legal residence permit were generally entitled to work. Most immigrants worked in industry and public services. Those from developing countries were clearly overrepresented in certain sectors such as hotels and restaurants, cleaning and certain manufacturing industries. Immigrants were more likely to be affected by unemployment than Norwegians. In order to use the qualifications of immigrants fully and promote their effective integration into Norwegian society, various courses in the Norwegian language were offered and a number of projects targeting immigrant women were conducted at the municipal level. Special training and educational schemes were also conducted for immigrants in the employment service system.

37. Ms. KVERNELAND, replying to the question about the compensation paid to women as a result of discrimination in the workplace, said that, under the Gender Equality Act, any woman who had been exposed to discriminatory treatment could sue her employer for compensation for economic loss resulting from such treatment.

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Article 16

38. Concerning the amendment of section 228 of the Penal Code, to permit unconditional prosecution of family violence, she said that while no statistics were available on its effects, there was reason to believe that the number of prosecutions against violent spouses had increased. Statistics from the early 1980s showed that prior to the amendment, almost half of the women who had reported violence committed by their spouses had not requested prosecution or had later withdrawn that request. With respect to paternity leave and fathers' access to their children, she noted that, according to Norwegian time-use surveys, while young fathers spent more time with their children than had been the case 20 years previously, fathers of young children spent more and more time doing paid work and topped the statistics for overtime work. Since April 1993, when four weeks of the paid parental leave had been reserved for fathers, there had been a significant increase in the payment of parental benefits to fathers, which showed that they were availing themselves of that allowance. While no centralized records were kept of complaints by fathers that they had been denied access to their children and there was no information on the number of fathers affected, a recent study indicated that fathers often simply did not exercise their right of access and that sabotage of the right of access by the custodial parent was an infrequent occurrence.

39. The CHAIRPERSON thanked the representatives of Norway for their exhaustive answers to the questions raised by members of the Committee and noted that Norway was highly regarded, not only by the Committee but also by women throughout the world, as a pioneering country in the area of women's rights. Norway's strategies to integrate the gender dimension into all areas, and its affirmative action policy to narrow the gap between men and women in most areas of the public sector and in certain areas of the private sector, were most enlightening. However, there were still some obstacles and the issue of pay equality was of the utmost concern to the Committee.

40. Ms. MAKINEN noted that, as a result of the welfare state, remarkable strides had been made by Norwegian women in every sphere of public life. Despite Norway's solid record in the area of equality legislation, however, discrimination persisted, especially in the labour market where there were considerable differences between the earnings of men and women. In its next report, Norway should provide more statistical information and more analyses on its achievements in the area of equality. More information should also be provided concerning the Committee's general recommendations, especially recommendation 13 on equal pay, recommendation 18 on the situation of disabled women and the prospects for ensuring that their rights were respected in Norway, and recommendation 19 on violence against women. She would also appreciate more information on the amendments to equality legislation and the role of governmental authorities in supervising equality policy.

41. Ms. SCHÖPP-SCHILLING, expressing concern about the restructuring of the welfare state, said that the next report should provide more details on how that restructuring affected women. The next report should also provide more information on Norway's efforts to achieve recognition of the worth of women's work, which was generally undervalued. Regarding the mainstreaming of gender policy, she wondered whether the various procedures for the early consideration

of the gender dimension in the policy formulation process had been laid down by law or whether they were simply the outcome of a Cabinet consensus. If the latter, the Government would do well to either incorporate them into its overall policy, enact legislation thereon or amend the Gender Equality Act in that regard.

42. Ms. BUSTELO GARCIA DEL REAL said that the high percentage of women, compared to men, who worked part time and the much lower percentage of women in decision-making positions in the private sector, as compared to the public sector, particularly politics, showed that gender stereotypes had still not been completely overcome. In the next report, she would appreciate further information on those two issues, which seemed to reflect obstacles which were difficult to overcome even in a country with a very broad-based policy of equality. Regarding article 6 of the Convention, Norway should indicate in its next report whether it had taken any special measures to protect migrant women from the kinds of abuse which might stem from trafficking in persons.

43. Ms. JAVATE DE DIOS hailed Norway's novel approach to addressing women's equality by persuading men to assume their parental responsibilities; that was a model to be emulated by other countries. Noting that Norway was taking a holistic approach to the problems of prostitution and trafficking in women by looking at both the problems of women in that sector and the responsibilities and attitudes of men towards prostitution, she asked whether information could be provided in the next report on any cases of trafficking in women and any measures taken by the Government in that regard. She would also like more details of Norway's official development assistance and assistance to women-oriented projects in developing countries, and wondered whether Norway's official development assistance could be used to exert a moral influence and promote the Convention in recipient countries. The representatives of Norway should also explain how the core values and programmes developed over the years in the struggle for women's equality were being transmitted to the next generation of Norwegian women and men.

44. The CHAIRPERSON said that Norway provided an ideal example of the integration of women into public decision-making and public life. As a result of women's participation and influence in public life, issues such as child care, paternity leave and equal pay had been mainstreamed. Women's participation at all levels of decision-making was well above what the Committee regarded as the critical threshold. Despite all those advances, however, there were still some areas of concern to the Committee, particularly the issue of wages and salaries. Other countries which were less advanced than Norway in the area of equality had tackled that issue successfully, and the Committee hoped that by the time it submitted its next report, Norway would have found solutions to that problem as it had to with so many other problems.

45. Ms. VOLLSET (Norway) said that answers would be provided to most of the supplementary questions in her country's next report. Responding to the question about the mainstreaming of the gender dimension in the policy-making process, she noted that that was simply the result of a consensus. Efforts were being made to ensure that mainstreaming was included in as many public administration documents as possible. Her Government believed that such an approach was more effective than making abstract declarations. With regard to

part-time work, it was more important to know whether women's decision to work part time was the result of actual discrimination or personal preference. Concerning what the Government was doing to transmit its values to the next generation of Norwegians, she said that the fact that her Government's efforts to shift the focus of parental responsibilities towards men had elicited the greatest enthusiasm from the youngest generation of men was a very encouraging sign.

46. Ms. Corti took the Chair.

ORGANIZATION OF WORK

47. The CHAIRPERSON noted the need to expedite preparation of the Committee's report so that it could be adopted in a timely manner. In connection with its participation in the Fourth World Conference on Women: Action for Equality, Development and Peace, to take place in September 1995 in Beijing, the Committee might wish to take account of the conclusions and recommendations adopted by the Committee on the Rights of the Child at its eighth session. The Committee on the Rights of the Child had, inter alia, stressed its role in defending the rights of the girl child and the importance of links with the Committee on the Elimination of Discrimination against Women. The text of the conclusions and recommendations would be circulated.

48. The Committee would also need to prepare an analysis of article 10 of the Convention in connection with both the Beijing Conference and an upcoming meeting in Paris with the United Nations Educational, Scientific and Cultural Organization (UNESCO). That meeting, along with a workshop to be conducted with UNESCO in Beijing, would focus on the significance of education in the empowerment of women.

49. She had received a communication from the United Nations Development Fund for Women (UNIFEM) proposing permanent cooperation with the Committee. Lastly, she urged the members of the two working groups to expedite their work to allow time for their recommendations to be considered by the Committee.

The meeting rose at 12.45 p.m.